

## **REMARKS**

Applicants have amended Claims 1, 4, 10 and 15-18 and have cancelled Claims 19 and 21-23. No new matter was added by these amendments. Claims 1-4, 6-10 and 12-18 remain in this application, and Applicants request reconsideration of the application in view of the above amendments and these remarks.

### **Claim Objections and Allowable Subject Matter**

The Examiner has objected to Claims 1-4, 6-10 and 12-18 but states that these claims would be allowable if rewritten to overcome the objections set forth in the April 25 Office Action. Applicants believe that their above amendments to Claims 1, 4, 10 and 15-18 overcome the Examiner's objections to Claims 1-4, 6-10 and 12-18 and, therefore, request that the Examiner remove the rejections to Claims 1-4, 6-10 and 12-18 and proceed to allow these claims.

The Examiner has objected to Claims 1, 10 and 16 and suggests that the recitation "channel selection method" be changed to "channel selection process" – to keep consistent with the specification. Applicants believe that both "channel selection method" and "channel selection process" are supported by the specification and the specification uses these terms interchangeably (*See e.g.*, specification page 16, line 26 (reciting the title to Section III)). However, Applicants have amended Claims 1, 10 and 16 in accordance with the Examiner's suggested changes to the claims in order to expedite the prosecution of this case.

The Examiner has objected to the recitations in Claim 4 of "the method of Claim 1 wherein the steps of claim 1" stating that Applicants be specific as to which steps of Claim 1 are repeated. Applicants have amended Claim 4 in accordance with the Examiner's suggestions.

The Examiner has objected to the recitations in Claim 15 of "the method of Claim 10 wherein the steps of claim 10" stating that Applicants be

specific as to which steps of Claim 10 are repeated. Applicants have amended Claim 15 in accordance with the Examiner's suggestions.

The Examiner has objected to the recitations in Claims 17 and 18 of "the method of Claim 16 wherein the steps of claim 16" stating that Applicants be specific as to which steps of Claim 16 are repeated. Applicants have amended Claims 17 and 18 in accordance with the Examiner's suggestions.

**Claim Rejections**

The Examiner has rejected Claims 19 and 21-23 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that regarding Claim 19, lines 8-10 are unclear and confusing. Further in the interest of expediting prosecution of this case, Applicants have cancelled Claims 19 and 21-23, thereby, rendering moot the Examiner's rejection of these claims.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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